

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DUNKIN DONUTS INCORPORATED,

Plaintiff,

-against-

GOT-A-LOT-A-DOUGH, INC., *et al.*,

Defendants.
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ORDER

CV 04-4100 (DRH)

ORENSTEIN, Magistrate Judge:

The defendants move by letter application for an order directing an in-person conference regarding plaintiff's alleged failure to provide documents it agreed to produce.

The plaintiff opposes the application and represents that it provided many documents on or about August 3, 2006, and that two other documents were made available for inspection. *Degen Letter*, dated August 29, 2006.

Apparently the dispute herein is monetary. Plaintiff's position is that the List of Destroyed documents is four and one-half inches thick and the Franchise Licensing Manuals were four inches thick. Moreover, Mr. Degen represents that plaintiff refused to provide the third group of documents, Uniform Franchise Offering Circular (UFOC) at the deposition of Jack Laudermilk, in-house counsel to plaintiff. *Degen Letter to Brandt*, dated August 3, 2006.

The application is determined as follows:

Defendant shall go to Mr. Degen's office on or before September 13, 2006 and inspect the List of Lost Documents. If defendants want such List, they shall pay copying costs of ten cents a page.

It seems that the documents, identified as Franchise Licensing Manual and the UFOC's exist in multiple copies at Dunkin Donuts. Plaintiff shall furnish each of the documents to defendants by September 13, 2006 without charge (*Degen Letter*, dated August 29, 2006, p. 3, n.2; UFOC's are public documents). Accordingly, such documents need not be photocopied.

SO ORDERED.

Dated: Central Islip, New York
August 30, 2006

MICHAEL L. ORENSTEIN
United States Magistrate Judge